



U.S. Department of Justice

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January 24, 2022

By ECF and Email

(CronanNYSDChambers@nysd.uscourts.gov)

Hon. John P. Cronan
United States District Court
Southern District of New York
500 Pearl Street, Courtroom 12D
New York, NY 10007

Re: *W.P.V., on his own behalf and on behalf of his minor child, W.P.O. v. U.S., et al.*
No. 21 Civ. 4436 (JPC)

Dear Judge Cronan:

The parties provide the below update regarding the above-captioned case. On December 13, 2021, the Court granted the parties' application to continue the stay in this matter pending settlement discussions through January 31, 2022, and ordered that the parties provide a status update by January 24, 2022. *See* Dkt. No. 46. The parties write to provide the Court with the ordered status update and to request an additional 45-day stay of this matter until March 17, 2022.

As the parties informed the Court in their prior status letters, the United States and a group of counsel coordinating negotiations on behalf of plaintiffs and claimants ("Coordinating Counsel") were attempting to reach a nationwide resolution of actions arising from family separations at the United States/Mexico border that occurred during the prior administration. Those settlement talks have since ceased without a global resolution being reached. However, with respect to this specific litigation, Plaintiffs have conveyed a settlement offer to the United States (the "Government"), which it is evaluating. The parties jointly request that this action, including all proceedings and case deadlines (including the answer deadlines for both the United States and Cayuga), be held in abeyance for an additional 45 days until March 17, 2022. The parties, therefore, propose to provide the Court with a further update on March 10, 2022, including addressing the date by which the Government and Cayuga must respond to the complaint in the event the stay is going to be lifted. The parties are hopeful that, by that date, the Government will have been able to evaluate Plaintiffs' offer and determine whether there is a reasonable possibility of settlement or whether the stay must be lifted in order to allow litigation to commence.

Similarly, counsel for Plaintiffs and Defendant Cayuga continue to engage in good faith settlement negotiations. Accordingly, for the same reasons articulated above, the parties request that the stay with respect to Cayuga be continued as well.

Accordingly, the parties respectfully request that the stay in this matter be continued to March 17, 2022, and that the parties provide the Court with a further status update by March 10, 2022.

We thank the Court for its consideration of this matter.

Respectfully,

/s/ Aamir A. Kazi

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A handwritten signature in black ink, appearing to read "R Marvin", positioned above a horizontal line.

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